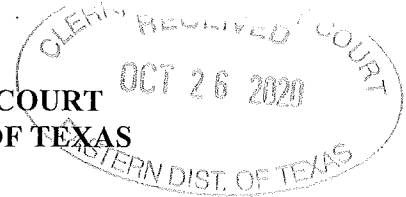


PRISONER'S CIVIL RIGHTS COMPLAINT (Rev. 05/2015)

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION



ZAKES LAMANN McDONALD
Plaintiff's Name and ID Number

Gregg County Jail
Place of Confinement

Amended Complaint

MAXEY CERIANO 101 E. Methvin, Suite 559 Longview, TX 75601

CASE NO. 6:20cv 507
(Clerk will assign the number)

JEFF CALAWAY 101 E. Methvin, Suite 559 Longview, TX 75601

LUKE WHITEHEAD 101 E. Methvin Suite 559 Longview TX 75601
Defendant's Name and Address

BEN REYNOLDS 101 E. Methvin Suite 559 Longview TX 75601

GARY ROBINSON 101 E. Methvin Suite 559 Longview TX 75601
Defendant's Name and Address

STEVEN SHART 101 E. Methvin Suite 559 Longview TX 75601

B. ERNEST 101 E. Methvin Suite 559 Longview TX 75601
Defendant's Name and Address

(DO NOT USE "ET AL.")

INSTRUCTIONS - READ CAREFULLY

NOTICE:

Your complaint is subject to dismissal unless it conforms to these instructions and this form.

1. To start an action you must file an original and one copy of your complaint with the court. You should keep a copy of the complaint for your own records.
2. Your complaint must be legibly handwritten, in ink, or typewritten. You, the plaintiff, must sign and declare under penalty of perjury that the facts are correct. If you need additional space, **DO NOT USE THE REVERSE SIDE OR BACK SIDE OF ANY PAGE.** ATTACH AN ADDITIONAL BLANK PAGE AND WRITE ON IT.
3. You must file a separate complaint for each claim you have unless the various claims are all related to the same incident or issue or are all against the same defendant, Rule 18, Federal Rules of Civil Procedure. Make a short and plain statement of your claim, Rule 8, Federal Rules of Civil Procedure.
4. When these forms are completed, mail the original and one copy to the clerk of the United States district court for the appropriate district of Texas in the division where one or more named defendants are located, or where the incident giving rise to your claim for relief occurred. If you are confined in the Texas Department of Criminal Justice, Correctional Institutions Division (TDCJ-CID), the list labeled as "VENUE LIST" is posted in your unit law library. It is a list of the Texas prison units indicating the appropriate district court, the division and an address list of the divisional clerks.

FILING FEE AND *IN FORMA PAUPERIS* (IFP)

1. In order for your complaint to be filed, it must be accompanied by the statutory filing fee of \$350.00 plus an administrative fee of \$50.00 for a total fee of **\$400.00**.
2. If you do not have the necessary funds to pay the fee in full at this time, you may request permission to proceed *in forma pauperis*. In this event you must complete the application to proceed *in forma pauperis*, setting forth information to establish your inability to prepay the fees and costs or give security therefor. You must also include a current six-month history of your inmate trust account. If you are an inmate in TDCJ-CID, you can acquire the application to proceed *in forma pauperis* and the certificate of inmate trust account, also known as *in forma pauperis* data sheet, from the law library at your prison unit.
3. The Prison Litigation Reform Act of 1995 (PLRA) provides "... if a prisoner brings a civil action or files an appeal *in forma pauperis*, the prisoner shall be required to pay the full amount of a filing fee." See 28 U.S.C. § 1915. Thus, the court is required to assess and, when funds exist, collect, the entire filing fee or an initial partial filing fee and monthly installments until the entire amount of the filing fee has been paid by the prisoner. If you submit the application to proceed *in forma pauperis*, the court will apply 28 U.S.C. § 1915 and, if appropriate, assess and collect the entire filing fee or an initial partial filing fee, then monthly installments from your inmate trust account, until the entire \$350.00 statutory filing fee has been paid. (The \$50.00 administrative fee does not apply to cases proceeding *in forma pauperis*.)
4. If you intend to seek *in forma pauperis* status, do not send your complaint without an application to proceed *in forma pauperis* and the certificate of inmate trust account. Complete all essential paperwork before submitting it to the court.

CHANGE OF ADDRESS

It is your responsibility to inform the court of any change of address and its effective date. Such notice should be marked "**NOTICE TO THE COURT OF CHANGE OF ADDRESS**" and shall not include any motion for any other relief. Failure to file a NOTICE TO THE COURT OF CHANGE OF ADDRESS may result in the dismissal of your complaint pursuant to Rule 41(b), Federal Rules of Civil Procedure.

I. PREVIOUS LAWSUITS:

- A. Have you filed *any* other lawsuit in state or federal court relating to your imprisonment? ___ YES X NO
- B. If your answer to "A" is "yes," describe each lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, giving the same information.)
 1. Approximate date of filing lawsuit: _____
 2. Parties to previous lawsuit:

Plaintiff(s) _____

Defendant(s) _____
 3. Court: (If federal, name the district; if state, name the county.) _____
 4. Cause number: _____
 5. Name of judge to whom case was assigned: _____
 6. Disposition: (Was the case dismissed, appealed, still pending?) _____
 7. Approximate date of disposition: _____

II. PLACE OF PRESENT CONFINEMENT: GREGG COUNTY JAIL, GREGG COUNTY TEXAS

III. EXHAUSTION OF GRIEVANCE PROCEDURES:

Have you exhausted all steps of the institutional grievance procedure? YES NO

Attach a copy of your final step of the grievance procedure with the response supplied by the institution.

IV. PARTIES TO THIS SUIT:

A. Name and address of plaintiff: ZAFRES LAMONN McDONALD # 39397
101 EAST METHVIN ST
LONGVIEW, TEXAS 75601

B. Full name of each defendant, his official position, his place of employment, and his full mailing address.

Defendant #1: STEVEN STADT Sgt. GREGG COUNTY JAIL/SHERIFF'S OFFICE
101 E. METHVIN SUITE 559 LONGVIEW TEXAS 75601

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.

MAJOR USE OF FORCE AND PLACEMENT IN SEPARATION CELL COVERED IN FEES ^{8 1/2 HOURS} WITH DENIAL OF DUE PROCESS
CRUEL AND UNUSUAL PUNISHMENT

Defendant #2: B. ERNEST JAILER/DEPUTY GREGG COUNTY JAIL/SHERIFF'S OFFICE
101 E. METHVIN SUITE 559 LONGVIEW TEXAS 75601

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.

MAJOR USE OF FORCE/PLACEMENT IN SEPARATION CELL COVERED IN HUMAN FEES ^{8 1/2 HOURS} WITH DENIAL OF DUE PROCESS
CRUEL AND UNUSUAL PUNISHMENT

Defendant #3: BEN REYNOLDS Lt. GREGG COUNTY SHERIFF'S OFFICE
101 E. METHVIN SUITE 559 LONGVIEW TEXAS 75601

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.

RESPONSIBLE FOR THOSE UNDER HIM AND THEIR ACTIONS AND HE DID NOTHING TO RIGHT THE WRONG AND COVERED UP BY HIS ACTIONS

Defendant #4: GARY ROBINSON Lt. GREGG COUNTY SHERIFF'S OFFICE
101 E. METHVIN SUITE 559 LONGVIEW TEXAS 75601

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.

HAD KNOWLEDGE OF ACTIONS OF THOSE UNDER HIM AND DID NOTHING TO RIGHT THIS WRONG RESPONSIBLE FOR THOSE UNDER HIM
101 E. METHVIN SUITE 559 LONGVIEW TEXAS 75601

Defendant #5: LUKE WHITEHEAD Capt. GREGG COUNTY SHERIFF'S OFFICE
101 E. METHVIN SUITE 559 LONGVIEW TEXAS 75601

HAD DIRECT KNOWLEDGE OF ACTIONS OF THOSE UNDER HIM AND DID NOTHING/RESPONSIBLE FOR ENFORCING POLICY

Defendant #6: JEFF CALLAWAY Capt. GREGG COUNTY SHERIFF'S OFFICE
101 E. METHVIN SUITE 559 LONGVIEW TEXAS 75601
RESPONSIBLE FOR ENFORCING POLICY AND THE ACTIONS OF THOSE UNDER HIM

Defendant #7: MARKY CERLIANO SHERIFF GREGG COUNTY SHERIFF'S OFFICE
101 E. METHVIN SUITE 559 LONGVIEW TEXAS 75601

HAS RESPONSIBILITY FOR POLICY AND THE ENFORCEMENT OF POLICY OF ALL ASPECTS OF GREGG COUNTY EMPLOYEES
SHERIFF

V. STATEMENT OF CLAIM:

State here in a short and plain statement the facts of your case, that is, what happened, where did it happen, when did it happen, and who was involved. Describe how each defendant is involved. You need not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Attach extra pages if necessary, but remember the complaint must be stated briefly and concisely. IF YOU VIOLATE THIS RULE, THE COURT MAY STRIKE YOUR COMPLAINT.

PLEASE SEE ATTACHMENT'S EXHIBIT #1 A, B, AND C

EXHIBIT #2

EXHIBIT #3

EXHIBIT #4

EXHIBIT #5 A, B, C, D, AND E

VI. RELIEF:

State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.

I pray the Court Rules in my favor for Monetary damages/cruel and unusual punishment/pain and mental suffering in the amount of 2 (two) Million dollars

VII. GENERAL BACKGROUND INFORMATION:

A. State, in complete form, all names you have ever used or been known by including any and all aliases.

~~DAVID~~ ZATRES LAMOUN McDONALD

B. List all TDCJ-CID identification numbers you have ever been assigned and all other state or federal prison or FBI numbers ever assigned to you.

Gregg County Jail #39397

TDCJ #576597

VIII. SANCTIONS:

A. Have you been sanctioned by any court as a result of any lawsuit you have filed? ☐ YES ☒ NO

B. If your answer is "yes," give the following information for every lawsuit in which sanctions were imposed. (If more than one, use another piece of paper and answer the same questions.)

1. Court that imposed sanctions (if federal, give the district and division): _____

2. Case number: _____

3. Approximate date sanctions were imposed: _____

4. Have the sanctions been lifted or otherwise satisfied? ☐ YES ☐ NO

- C. Has any court ever warned or notified you that sanctions could be imposed? _____ YES X NO
- D. If your answer is "yes," give the following information for every lawsuit in which a warning was issued. (If more than one, use another piece of paper and answer the same questions.)
1. Court that issued warning (if federal, give the district and division): _____
 2. Case number: _____
 3. Approximate date warning was issued: _____

Executed on:

10/13/2020
DATE

Zafres Lamonn McDonald
Zafres McDonald
(Signature of Plaintiff)

PLAINTIFF'S DECLARATIONS

1. I declare under penalty of perjury all facts presented in this complaint and attachments thereto are true and correct.
2. I understand, if I am released or transferred, it is my responsibility to keep the court informed of my current mailing address and failure to do so may result in the dismissal of this lawsuit.
3. I understand I must exhaust all available administrative remedies prior to filing this lawsuit.
4. I understand I am prohibited from bringing an *in forma pauperis* lawsuit if I have brought three or more civil actions or appeals (from a judgment in a civil action) in a court of the United States while incarcerated or detained in any facility, which lawsuits were dismissed on the ground they were frivolous, malicious, or failed to state a claim upon which relief may be granted, unless I am under imminent danger of serious physical injury.
5. I understand even if I am allowed to proceed without prepayment of costs, I am responsible for the entire filing fee and costs assessed by the court, which shall be deducted in accordance with the law from my inmate trust account by my custodian until the filing fee is paid.

Signed this 13th day of October, 20 20.
(Day) (month) (year)

ZAFRES LAMONN McDONALD
Zafres Lamonn McDonald
(Signature of Plaintiff)

WARNING: Plaintiff is advised any false or deliberately misleading information provided in response to the above questions may result in the imposition of sanctions. The sanctions the court may impose include, but are not limited to, monetary sanctions and the dismissal of this action with prejudice.

Account Transaction History

Mcdonald, Zafres Lamonn (39397)

Location: 7DO4

From 2/27/2020 To 10/14/2020 11:59:59 PM

Cash Starting Balance: \$0.00

A/R Starting Balance: \$0.00

Trans. #	Date/Time	Entry Type	Notes	Amount	A/R	A/R Bal.	Cash Bal.
1787371	2/27/2020 9:15 PM	Inmate Note	***** Opened Account *****			\$0.00	\$0.00
1798094	3/16/2020 12:14 PM	Inmate Bill	Indigent Writing 3/13/20		\$0.60	\$0.60	\$0.00
1798191	3/16/2020 12:27 PM	Inmate Bill	Indigent Clothing 3/13/20		\$6.50	\$7.10	\$0.00
1798521	3/17/2020 2:21 PM	Inmate Bill	Medical 3/8/20-3/14/20		\$3.00	\$10.10	\$0.00
1799417	3/18/2020 3:25 PM	Inmate Bill	Medical 3/8/20-3/14/20		\$4.50	\$14.60	\$0.00
1801872	3/24/2020 10:29 AM	Inmate Bill	Medical 3/15/20-3/21/20		\$3.75	\$18.35	\$0.00
1803144	3/27/2020 10:30 AM	Inmate Bill	Indigent Writing 3/27/20		\$0.60	\$18.95	\$0.00
1804919	4/1/2020 4:22 PM	Inmate Bill	Medical 3/22/20-3/28/20		\$9.00	\$27.95	\$0.00
1805883	4/4/2020 4:34 PM	Inmate Bill	copies		\$1.30	\$29.25	\$0.00
1807009	4/7/2020 10:36 AM	Inmate Bill	Medical 3/29/20-4/4/20		\$5.25	\$34.50	\$0.00
1809270	4/14/2020 2:48 PM	Inmate Bill	Medical 4/5/20-4/11/20		\$8.25	\$42.75	\$0.00
1810184	4/17/2020 10:44 AM	Inmate Bill	Indigent Writing 4/17/20		\$0.60	\$43.35	\$0.00
1810743	4/19/2020 2:38 AM	Inmate Bill	Gelusil 04/16/20		\$0.75	\$44.10	\$0.00
1811436	4/20/2020 10:52 AM	Inmate Bill	Medical 4/12/20-4/18/20		\$10.50	\$54.60	\$0.00
1812768	4/23/2020 6:55 PM	Inmate Bill	4/15/20 1245 Claritin, HCC		\$0.75	\$55.35	\$0.00
1812916	4/23/2020 8:29 PM	Inmate Bill	MD 3/24/20		\$10.00	\$65.35	\$0.00
1813178	4/23/2020 11:04 PM	Inmate Bill	MD 3/3/20		\$10.00	\$75.35	\$0.00
1813925	4/24/2020 4:13 PM	Inmate Bill	Indigent Writing 4/24/20		\$0.60	\$75.95	\$0.00
1820203	4/30/2020 9:05 AM	Inmate Bill	Medical 4/19/20-4/25/20		\$9.75	\$85.70	\$0.00
1821298	5/1/2020 10:29 AM	Inmate Bill	Indigent Writing 5/1/20		\$0.60	\$86.30	\$0.00
1826124	5/7/2020 9:53 AM	Inmate Bill	Medical 4/26/20-5/2/20		\$10.50	\$96.80	\$0.00
1829310	5/13/2020 4:14 PM	Inmate Bill	Medical 5/3/20-5/9/20		\$10.50	\$107.30	\$0.00
1830057	5/15/2020 10:33 AM	Inmate Bill	Indigent Writing 5/15/20		\$0.60	\$107.90	\$0.00
1837513	5/26/2020 10:48 AM	Inmate Bill	Medical 5/10/20-5/16/20		\$10.50	\$118.40	\$0.00
1843199	6/5/2020 4:27 PM	Inmate Bill	Indigent Writing 6/5/20		\$0.60	\$119.00	\$0.00
1846331	6/10/2020 10:41 AM	Inmate Bill	Medical 5/17/20-5/23/20		\$10.50	\$129.50	\$0.00
1846598	6/10/2020 3:47 PM	Inmate Bill	Medical 5/24/20-5/30/20		\$10.50	\$140.00	\$0.00
1849224	6/14/2020 3:43 AM	Inmate Note	***** Closed Account *****			\$140.00	\$0.00
1849395	6/14/2020 4:20 AM	Inmate Note	***** Opened Account *****			\$140.00	\$0.00
1851735	6/17/2020 11:29 PM	Inmate Bill	4/4/20 TYLENOL, CLARITIN		\$0.75	\$140.75	\$0.00
1851959	6/18/2020 10:04 AM	Inmate Bill	4/2/20 Tylenol		\$0.75	\$141.50	\$0.00

Account Transaction History

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Trans. #	Date/Time	Entry Type	Notes	Amount	A/R	A/R Bal.	Cash Bal.
1852072	6/18/2020 2:26 PM	Inmate Bill	4/2/20 IBU		\$0.75	\$142.25	\$0.00
1852190	6/18/2020 4:07 PM	Inmate Bill	3/29/20 Tylenol		\$0.75	\$143.00	\$0.00
1853430	6/21/2020 2:46 AM	Inmate Bill	zyrtex-HCC 03/28/2020		\$0.75	\$143.75	\$0.00
1854684	6/22/2020 2:23 AM	Inmate Bill	tylenol 04/02/2020		\$0.75	\$144.50	\$0.00
1854723	6/22/2020 2:57 AM	Inmate Bill	tylenol/claritin 03/24/2020		\$0.75	\$145.25	\$0.00
1855210	6/22/2020 10:35 PM	Inmate Bill	3/27/20		\$5.00	\$150.25	\$0.00
1855781	6/23/2020 2:46 PM	Inmate Bill	4/7/20 Tylenol/Claritin		\$0.75	\$151.00	\$0.00
1858759	6/25/2020 9:01 AM	Inmate Bill	Medical 5/31/20-6/6/20		\$5.25	\$156.25	\$0.00
1860305	6/26/2020 4:09 PM	Inmate Bill	Medical 6/7/20-6/13/20		\$8.25	\$164.50	\$0.00
1861583	6/27/2020 8:17 AM	Inmate Bill	Tylenol ES 031420		\$0.75	\$165.25	\$0.00
1863233	6/27/2020 3:55 PM	Inmate Bill	Claritin 061920		\$0.75	\$166.00	\$0.00
1871200	7/2/2020 10:18 AM	Inmate Bill	Indigent Writing 7/3/20		\$0.60	\$166.60	\$0.00
1876780	7/7/2020 9:41 AM	Inmate Bill	Medical 6/14/20-6/20/20		\$7.50	\$174.10	\$0.00
1877163	7/7/2020 2:57 PM	Inmate Bill	Medical 6/21/20-6/27/20		\$9.00	\$183.10	\$0.00
1882185	7/12/2020 7:15 PM	Inmate Bill	Dr. White 4/7/20		\$10.00	\$193.10	\$0.00
1883211	7/13/2020 2:42 AM	Inmate Bill	MD 5/14/20		\$10.00	\$203.10	\$0.00
1886877	7/18/2020 2:32 PM	Inmate Bill	Claritin 07/16/2020		\$0.75	\$203.85	\$0.00
1890436	7/24/2020 10:36 AM	Inmate Bill	Indigent Writing 7/24/20		\$0.60	\$204.45	\$0.00
1897105	7/30/2020 9:57 AM	Inmate Bill	Medical 6/28/20-7/4/20		\$10.50	\$214.95	\$0.00
1898700	7/31/2020 8:41 AM	Inmate Bill	Indigent Writing 7/31/20		\$0.60	\$215.55	\$0.00
1904077	8/7/2020 2:41 PM	Inmate Bill	Indigent Writing 8/7/20		\$0.60	\$216.15	\$0.00
1904274	8/7/2020 2:57 PM	Inmate Bill	Indigent Clothing 8/7/20		\$6.50	\$222.65	\$0.00
1906910	8/13/2020 2:19 AM	Inmate Bill	HCC 081220		\$0.75	\$223.40	\$0.00
1906950	8/13/2020 9:29 AM	Inmate Bill	Medical 7/26/20-8/1/20		\$10.50	\$233.90	\$0.00
1909448	8/17/2020 9:37 AM	Inmate Bill	Indigent Writing 8/14/20		\$0.60	\$234.50	\$0.00
1910518	8/18/2020 1:38 PM	Inmate Bill	Medical 8/2/20-8/8/20		\$10.50	\$245.00	\$0.00
1911729	8/19/2020 1:56 PM	Inmate Bill	Medical 7/5/20-7/11/20		\$10.50	\$255.50	\$0.00
1911877	8/19/2020 2:24 PM	Inmate Bill	Medical 7/12/20-7/18/20		\$10.50	\$266.00	\$0.00
1916033	8/27/2020 10:21 AM	Inmate Bill	Medical 7/19/20-7/25/20		\$10.50	\$276.50	\$0.00
1917933	8/31/2020 4:19 PM	Inmate Bill	Indigent Writing 8/28/20		\$0.60	\$277.10	\$0.00
1921136	9/8/2020 9:29 AM	Inmate Bill	Indigent Writing 9/4/20		\$0.60	\$277.70	\$0.00
1922319	9/10/2020 8:23 PM	Inmate Bill	Claritin 09/10/20		\$0.75	\$278.45	\$0.00
1924056	9/14/2020 9:22 AM	Inmate Bill	Indigent Writing 9/11/20		\$0.60	\$279.05	\$0.00
1924617	9/15/2020 11:36 PM	Inmate Bill	HCC 08/31/20		\$0.75	\$279.80	\$0.00
1924719	9/16/2020 12:48 AM	Inmate Bill	HCC 08/21/20		\$0.75	\$280.55	\$0.00
1926178	9/18/2020 1:29 PM	Inmate Bill	Indigent Writing 9/18/20		\$0.60	\$281.15	\$0.00
1926400	9/18/2020 4:11 PM	Inmate Bill	Medical 8/16/20-8/22/20		\$12.00	\$293.15	\$0.00
1927145	9/21/2020 12:57 AM	Inmate Bill	HCC 08/19/20		\$0.75	\$293.90	\$0.00
1929649	9/25/2020 10:47 AM	Inmate Bill	Indigent Writing 9/25/20		\$0.60	\$294.50	\$0.00
1932154	9/28/2020 12:42 AM	Inmate Bill	Claritin 08/16/20		\$0.75	\$295.25	\$0.00
1932196	9/28/2020 12:50 AM	Inmate Bill	Claritin 09/11/20		\$0.75	\$296.00	\$0.00
1932205	9/28/2020 12:52 AM	Inmate Bill	Claritin 09/14/20		\$0.75	\$296.75	\$0.00
1932210	9/28/2020 12:53 AM	Inmate Bill	Claritin 09/15/20		\$0.75	\$297.50	\$0.00

Account Transaction History

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Trans. #	Date/Time	Entry Type	Notes	Amount	A/R	A/R Bal.	Cash Bal.
1932214	9/28/2020 12:54 AM	Inmate Bill	Claritin 09/17/20		\$0.75	\$298.25	\$0.00
1932215	9/28/2020 12:54 AM	Inmate Bill	Claritin 09/18/20		\$0.75	\$299.00	\$0.00
1932220	9/28/2020 12:55 AM	Inmate Bill	Claritin 09/20/20		\$0.75	\$299.75	\$0.00
1932225	9/28/2020 12:55 AM	Inmate Bill	Claritin 09/21/20		\$0.75	\$300.50	\$0.00
1932697	9/28/2020 4:15 AM	Inmate Bill	Claritin 09/23/20		\$0.75	\$301.25	\$0.00
1932759	9/28/2020 4:36 AM	Inmate Bill	HCC 09/08/20		\$0.75	\$302.00	\$0.00
1932765	9/28/2020 4:37 AM	Inmate Bill	HCC 08/28/20		\$0.75	\$302.75	\$0.00
1932769	9/28/2020 4:38 AM	Inmate Bill	Benadryl 09/04/20		\$0.75	\$303.50	\$0.00
1932808	9/28/2020 10:48 AM	Inmate Bill	Claritin 9/24/20		\$0.75	\$304.25	\$0.00
1933201	9/29/2020 3:23 PM	Inmate Bill	Medical 8/9/20-8/15/20		\$12.75	\$317.00	\$0.00
1934676	10/1/2020 10:39 AM	Inmate Bill	Medical 8/23/20-8/29/20		\$10.50	\$327.50	\$0.00
1936222	10/3/2020 10:32 PM	Inmate Bill	Claitin 10/02/20		\$0.75	\$328.25	\$0.00
1936263	10/4/2020 1:40 AM	Inmate Bill	Claritin 10/01/20		\$0.75	\$329.00	\$0.00
1936322	10/4/2020 1:58 AM	Inmate Bill	Claritin 09/30/20		\$0.75	\$329.75	\$0.00
1936369	10/4/2020 2:17 AM	Inmate Bill	Claritin 09/28/20		\$0.75	\$330.50	\$0.00
1936549	10/4/2020 3:36 AM	Inmate Bill	Claritin 09/29/20		\$0.75	\$331.25	\$0.00
1937752	10/5/2020 2:39 AM	Inmate Bill	Benedryl 09/07/20		\$0.75	\$332.00	\$0.00
1937758	10/5/2020 2:41 AM	Inmate Bill	Benadryl 09/06/20		\$0.75	\$332.75	\$0.00
1937796	10/5/2020 3:00 AM	Inmate Bill	Benadryl 09/05/20		\$0.75	\$333.50	\$0.00
1938838	10/7/2020 10:57 AM	Inmate Bill	Indigent Writing 10/2/20		\$0.60	\$334.10	\$0.00
1939431	10/8/2020 9:21 AM	Inmate Bill	Medical 9/6/20-9/12/20		\$10.50	\$344.60	\$0.00
1939815	10/8/2020 10:27 AM	Inmate Bill	Medical 9/20/20-9/26/20		\$10.50	\$355.10	\$0.00
1940142	10/9/2020 10:40 AM	Inmate Bill	Indigent Writing 10/9/20		\$0.60	\$355.70	\$0.00
1941841	10/12/2020 3:51 PM	Inmate Bill	Medical 9/13/20-9/19/20		\$10.50	\$366.20	\$0.00

Cash Ending Balance: \$0.00

A/R Balance: \$366.20

Exhibit #1 'A'

On 03/26/2020 in the A.M. officer B. Ernest was on walkie. I requested toilet paper and was told to wait. Several hours later I asked again and was cursed by officer B. Ernest and I pushed the button and asked to speak to the Sgt. who was "STEVEN STADT" Sgt. Steven Stadt came to the cell and told me to come with him. On the way there he kept telling me that I was not respectful. I asked him what he meant and that I didn't even know him, for he didn't work the north jail, but all he said was im disrespectful to his officers. He took me to a room up front and told me he was doing me a favor. I asked how and he stated that if I didn't like it I could go back to my cell. I said take me back because at that point I had become afraid (Sgt. Stadt had left the door open and I observed officer B. Ernest who I had my problem with) with the Sgt's comments and these actions of officer Ernest I just wanted to go back to my cell. When I got into the hallway I stopped in front of the Central Control I know there was cameras. At this point with my arms crossed in front of me and not in a threatening manner, officer B. Ernest ran out of a side door and grabbed me and slammed me into the wall causing my mouth to be busted and I was placed in hand cuffs (All the time Sgt. Stadt is telling ERNEST "watch the cameras") I was taken down a hallway and Sgt Stadt asked Ernest was the cell ready. I was placed in a cell that was covered in human waste this cell had been vacated by an inmate with mental issues who threw his waste (FECES) I pushed the button and complained but was told to stay off the button, officer Ernest had been placed in the control. I filed a grievance about the matter of my confinement and the condition of the separation cell I was placed in. One was addressed to H. Whitehead which was answered by H. Robinson stating that I will have a Disciplinary writeup. (NEVER got a write up for anything) while in this separation cell B. Ernest came to the cell stating

Exhibit #1 'B'

to me that if I was not so disrespectful I would not be in that cell. I told him that there was human feces everywhere, he stated "I know." I wrote another grievance that was answered by Lt. Ben Reynolds, who told me that he had viewed the video and found no wrong doing, never addressing my being placed in the cell covered with the human feces for 8 1/2 hours. all of which was in the grievance. I stayed in this cell until shift changed at which time officer Carlton Gray came by and smelled the feces and I showed him all the human feces on bunk, wall, desk, floor. I told him that I had been standing in that spot in front of the door for 8 1/2 hours. officer Gray stated he wouldn't do a dog like that and said he was going to go talk to Corp. C. Benny. who did in fact move me to another cell. I wrote another request, but for medical attention (my mouth). I spent 8 days in separation and didn't get any type of write up. I grieved the matter and was called out by Lt. Luke Whitehead who said he was going to investigate. I gave him the names of all involved, he never even talked to officer Gray. I appealed his findings to Chief Jeff Callaway who told me I basically made it up. I filed my final step to Sheriff Marvey Cerlano who told me he was upholding the decision of the disciplinary board (I HAVE THE WRITTEN REPLY'S TO MY GRIEVANCES), but there was never a disciplinary so I was just lied to to cover up the wrong doing. The Sheriff sets jail policy and it is enforced by his staff JEFF CALLAWAY, LUKE WHITEHEAD, BEN REYNOLDS, GRAY ROBINSON, STEVEN STARKS, AND B. ERNEST. all are involved because of their actions and or lack of action, and then their indifference to what had happened after being brought to the attention of those who create policy and those who enforce policy. in each case when I tried to get help and filed grievances, I was denied. I was denied due process by being placed in solitary confinement without being given a disciplinary write up nor a hearing.

Exhibit #1 "c"

(2) I was denied medical treatment after a major use of force where I had to request medical attention

(3) I was intentionally placed in a cell that a mentally disturbed inmate had just been moved out of and then left there for 8 1/2 hours and my every attempt to get help was ignored or denied while being told that I was being wrote up for not following orders but never getting any type of writ up. and spending 8 days in a separation cell (solitary) all of which I do have copies of Grievances with their replies showing I did complain about feces for which I was moved after 8 1/2 hours.

(4) after my filing Grievances and realizing that Sgt Steven Sbdt and officer B. Ernest had violated my civil rights the Ranking Staff conspired to cover up. I wasn't allowed to have a investigation of the actual facts, my witnesses was not interviewed (officer Carlton Gray) to support my claim about the human waste (FECES) in the cell I was placed in, I was denied my being allowed to present my paperwork because it directly proved my claims, I was told that there was no paperwork. There was no investigation into my claims because they all knew what happened and the acts were to punish me even though I had not violated jail Rules only because I "Had A Smart Ass mouth that was Disrespectful" so after I was "Punished" it was covered up by all staff who was in positions to correct the wrongs against me.

Jeffrey McDonald
10/13/2020

McDonald
75ep

Exhibit #2

OPEN

Viewed Assigned to:

05-12-2020 02:40 PM

DENIAL OF REQUESTED PAPERWORK RELATED TO LEGAL MATTERS

Inmate

Zafres McDonald

Description

Lt. Gary Robinson///// DENIED MY REQUEST FOR COPIES OF COMPLAINTS I HAVE FILED STATING I CAN SEE THEM ON THE KEIOUS, BUT I STATED THAT I NEEDED THEM FOR LEGAL REASONS AND HE KNOWS THAT I HAVE NO WAY TO SEND THESE COPIES TO WHERE I NEED THEM TO GO... THIS IS AN ACT TO KEEP ME FROM FILING ANY OUTSIDE COMPLAINTS... SARGENT STADT TRIED TO GET THEM FOR ME,BUT THE SYSTEM WOULD NOT LET HIM FOR WHATEVER REASON, [THANK YOU FOR TRYING SARGENT STADT]. IF THERE IS A POLICY STATING WHERE I CAN'T HAVE THE ACTUAL PAPER COPY OF MY COMPLAINTS I NEED TO BE ADVISED OF IT, AND IF NOT THEN PLEASE LET ME HAVE THESE COPIES OF MY COMPLAINTS... [WITHOUT THESE ACTUAL PAPER COMPLAINTS I HAVE NO PROOF OF MY ACTIONS] TELLING ME THEY ARE ON THIS KEIOUS WHEN ANYONE WITH COMMON SENSE CLEARLY CAN SEE THAT I ONLY CAN ACCESS THESE COMPLAINTS ON SAID KEIOUS WHICH HINDERS MY ACTIONS WHERE IT IS REQUIRED THAT I SHOW PROOF OF THE ACTUAL COMPLAINTS... THIS ACT BY THE LT. IS A DIRECT ACT TO HINDER MY LEGAL ACTIONS AGAINST HIM AND OTHERS BY THE VERY ACT OF DENIAL OF REQUESTED PAPERWORK.... IF NEED BE CHARGE ME FOR THE COPIES, BECAUSE I DON'T MIND PAYING

Cell location

7DQ4

ACTIVITY**Donald Whitehead** (employee) left a comment

06-11-2020 02:16 PM

This specific request was printed off and given to inmate at his request.

**Donald Whitehead** (employee) left a comment

06-11-2020 02:15 PM

What specific requests are you wanting printed off? Please let me know which specific ones, and I will print them off for you.

**Donald Whitehead** (employee) Viewed This Task

06-11-2020 02:14 PM

**Tony Monsivais** (employee) Viewed This Task

06-11-2020 01:53 PM

**Tony Monsivais** (employee) Viewed This Task

06-11-2020 01:50 PM

**Donald Whitehead** (employee) Viewed This Task

06-05-2020 01:52 PM

**Tony Monsivais** (employee) Viewed This Task

Exhibit # 3

Date: May 11, 2020

To: Zafres McDonald

From: Jeff Callaway – Jail Administrator; Gregg County Sheriff's Office; Longview, Texas

Re: Grievance Appeal

Mr McDonald

I have looked over all of the reports in this case, I find that you failed to follow a lawful order from Sgt Stadt, and began causing a disturbance in the jail. As a result, you were placed in the cell to promote order. You were placed in a separation cell due to your behavior, and for nothing else.

I do not find any reports that indicate anyone noticed any feces on the cell to back your assertion that the cell was "covered in human waste", in fact, the reports emphatically deny that they saw or smelled feces, or urine in the cell.

I find that there is no merit to your assertion that officers lied to place you in the separation cell, and there is no evidence to support your claim that officers "abuse power".

Lastly, your claim that your complaint was not properly investigated is unfounded, there were several jailers and staff interviewed, and they submitted reports as a result.

Your appeal to me is denied.

Respectfully

A handwritten signature in cursive script, appearing to read "J Callaway", written in dark ink.

Jeff Callaway



Exhibit # 4

MAXEY CERLIANO

Sheriff, Gregg County

TO: Zafres Lamonn McDonald, SO# 39397

FROM: Sheriff Maxey Cerliano

Subject: Grievance Appeal

Date: September 3, 2020

Mr. McDonald,

I am in receipt of your grievance appeal, dated September 4, 2020. It is noted that this grievance is related to an incident that occurred on March 26, 2020. This matter has been reviewed by the Grievance Board, Captain Luke Whitehead, and Chief Deputy Jeff Callaway.

Based upon a review of all reports and video, the Grievance Board made a decision that you should be place on Restriction. You have appealed the decision to Captain Whitehead and Chief Deputy Callaway, which resulted in a denial.

I have conducted a thorough review of all reports and documents in this matter. In addition, I have conducted a review of your inmate file. I can find no compelling information to reverse the decisions previously made.

Therefore, based upon a total review of this matter, your grievance appeal is denied.

The decision of the Sheriff is final.

Respectfully,

A handwritten signature in black ink, appearing to read "Maxey Cerliano", is written over a faint, circular official stamp.

Maxey Cerliano, Sheriff

Gregg County, Texas

MC:cc

Exhibit #5
"A"

GREGG COUNTY JAIL - REQUEST/GRIEVANCE

(ONLY ONE REQUEST PER FORM)

NAME:

McDonald Zales

CELL:

SEP 12 054

PURPOSE OF FORM: (CHECK ONLY ONE)

☒ GRIEVANCE☐ MEDICAL ATTENTION☐ MEDICATION (OTHER THAN MED CALL PROBLEMS ONLY)

ID#: 39397

REASON FOR GRIEVANCE/OTHER REQUESTOR MEDICAL ATTENTION (IF NOT CONFIDENTIAL) - BE SPECIFIC:

I HAVE ORIGINAL GRIEVANCE FILED
 WHICH WAS NOT SIGNED BY ANYONE.
 I WROTE AN EMERGENCY GRIEVANCE ON 8/26/2020 ABOUT MY BEING DRAGGED IN SEVERAL TIMES
 I WORK FOR THAT I SAKE WITH SET STAFF. AND WAS DRAGGED IN SEVERAL TIMES. REFUSED TO FOLLOW INSTRUCTIONS
 OR OBTAIN DRESSING. NURSE S SAID WALK UP AND I AM REQUESTING ALL VIDEO. STARTING AT 1:14
 AUDIO - WHICH FROM THAT POINT ON I WOULD HAVE THE PERSON'S NAME. NOTHING TALKER FOOTAGE
 I WAS TOLD FOR
 I WAS TOLD FOR

DATE:

3/28/20

INMATE SIGNATURE

JAILER SIGNATURE

DATE:

03-28-20

TIME:

1435

REPLY:

Mr. McDonald, I reviewed the video footage of this incident and
 did not see wrong doing on our staff's part. After being told to go to you
 (on several times, you stopped and turned towards Sgt. Strat. You were not served
 a disciplinary and were removed from Sgt. Invered the use of force is justified.

DATE:

4-2-20

INMATE SIGNATURE

JAILER SIGNATURE

DATE:

12:13 AM

TIME:

TIME:

110

L. Reynolds
4.6.20

Exhibit #5
"B"

Exhibit # 3

"c"

GREGG COUNTY JAIL - REQUEST/GRIEVANCE
(ONLY ONE REQUEST PER FORM)

NAME: McDonald Zakes CELL: 3916

PURPOSE OF FORM: (CHECK ONLY ONE) ID#: 39397

☒ GRIEVANCE ☐ MEDICAL ATTENTION

REASON FOR GRIEVANCE/OTHER REQUEST/OTHER MEDICAL ATTENTION (IF NOT CONFIDENTIAL) - BE SPECIFIC:
I have been placed in a cell that has human waste on the walls + floor. It is a fact that is personal and I'm asked to leave my room to get me sick. The officer knew the cell had human waste but put me here as a personal
fact.

INMATE SIGNATURE: McDonald JAILER SIGNATURE: [Signature]

DATE: 03/26/2020 DATE: 03-26-20 TIME: 12:17

REPLY: Moved to sep 12

INMATE SIGNATURE: McDonald JAILER SIGNATURE: [Signature]

DATE: 03/26/2020 DATE: 10:33 TIME: 10:33

Exhibit #5

"D"

GREGG COUNTY JAIL - REQUEST/GRIEVANCE
(ONLY ONE REQUEST PER FORM)

NAME:

McDonald, JAMES

CELL:

509 16

PURPOSE OF FORM: (CHECK ONLY ONE) ID#: 39397

☒ GRIEVANCE ☐ MEDICAL ATTENTION

☐ MEDICATION (OTHER THAN MED CALL PROBLEMS ONLY) ☐ OTHER LT. WHITEHEAD

REASON FOR GRIEVANCE/OTHER REQUEST OR MEDICAL ATTENTION (IF NOT CONFIDENTIAL) - BE SPECIFIC

SIA. I've been told to not come back to work and no one will talk to me. THIS CELL IS COPIED AT HUMAN WASTE AND NO ONE WILL TALK TO ME.

INMATE SIGNATURE

JAILER SIGNATURE

DATE:

DATE:

TIME:

3/26/2020

3-26-2020

1547

REPLY:

you will have a disciplinary board. you will have a disciplinary board. to your favorite up.

INMATE SIGNATURE

JAILER SIGNATURE

DATE:

DATE:

TIME:

James McDonald

LT. Whitehead

GREGG COUNTY JAIL – REQUEST/GRIEVANCE

(OONLY ONE REQUEST PER FORM)

NAME:

PURPOSE OF FORM: (CHECK ONLY ONE)

GRIEVANCE

MEDICAL ATTENTION

ID#:

GRIEVANCE _____ MEDICAL ATTENTION _____

REASON FOR GRIEVANCE/OTHER REQUEST/OR MEDICAL ATTENTION (IF NOT CONFIDENTIAL) - BE SPECIFIC:

INMATE SIGNATURE _____

DATE: _____

DATE:

JAILER SIGNATURE

TIME: 501

REPLY:

INMATE SIGNATURE _____

DATE:

TIME:

JAILER SIGNATURE

DATE:

TIME:

LETTERS

三

ZAFES LAMAR McDonald #39397
Gregg County Jail
101 E. Methuen
Suite 600
Longview, Texas 75601

Legal Mail
INMATE INDIGENT

United States District Court
Eastern District of Texas
211 W. Ferguson St.
Tyler, Texas 75702

